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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR05-200-JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 HUNG PHI NGUYEN,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on January 10, 2006. The United States was represented by AUSA Leonie Grant and the
16 defendant by Nancy Tenney. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about September 9, 1999 by the Honorable James A.
18 Redden of the District of Oregon on a charge of Bank Fraud and sentenced to 2 Months Custody,
19 5 years Supervised Release. (Dkt. 3).

20 The conditions of supervised release included the standard conditions plus the requirement
21 that defendant adhere to a home detention program for two months, and make restitution in the
22 amount of \$26,119.26.

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE
AS TO ALLEGED VIOLATIONS OF SUPERVISED
RELEASE
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01 According to the docket of the United States District Court for the District of Oregon, on
02 September 19, 2002 the defendant admitted to violation of the terms of supervised release and was
03 sentenced to 8 months in custody, followed by 50 months supervised release. Supervised release
04 was again revoked on September 9, 2003, and the defendant was sentenced to 6 months in
05 custody, followed by 44 months supervised release. Mr. Nguyen's supervision was transferred
06 to this District on August 19, 2004. (Dkt. 1)

07 In an application dated October 12, 2005, Senior U.S. Probation Officer Jennifer J. Tien
08 alleged the following violation of the conditions of supervised release:

09 1. Using cocaine on or before September 28, 2005 and October 3, 2005 in violation
10 of standard condition #7.

11 2. Failing to report for urinalysis testing on September 6 and 28, 2005 and October
12 11, 2005 in violation of the special condition of drug aftercare.

13 3. Failing to participate in drug treatment/counseling as directed by his probation
14 officer, in violation of the special condition of drug aftercare.

15 4. Failing to report to the U.S. Probation Office, as instructed on October 12, 2005
16 in violation of standard condition #2. (Dkt. 4).

17 In an application dated November 10, 2005, Senior U.S. Probation Officer Jennifer J. Tien
18 alleged the following violation of the conditions of supervised release:

19 5. Being arrested on October 26, 2005 by Seattle Police and charged with possession
20 of a stolen vehicle, in violation of the general condition that the defendant not commit any new
21 federal, state or local crimes.

22 6. Being arrested on October 26, 2005 by Seattle Police and charged with possession

01 of stolen property, in violation of the general condition that the defendant not commit any new
02 federal, state or local crimes.

03 7. Being arrested on October 26, 2005 by Seattle Police and charged with possession
04 of crack cocaine in violation of the general condition that the defendant not commit any new
05 federal, state or local crimes and that he not illegally possess a controlled substance.

06 Defendant was advised in full as to those charges and as to his constitutional rights.

07 Defendant admitted each of the alleged violations and waived any evidentiary hearing as
08 to whether they occurred.

09 I therefore recommend the Court find defendant violated his supervised release as alleged
10 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
11 set before Judge Coughenour.

12 Pending a final determination by the Court, defendant has been detained.

13 DATED this 10th day of January, 2006.

14 
15 Mary Alice Theiler
16 United States Magistrate Judge

17 cc: District Judge: Honorable John C. Coughenour
18 AUSA: Leonie Grant
19 Defendant's attorney: Nancy Tenney
20 Probation officer: Jennifer J. Tien
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